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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/697,772  | 10/29/2003  | Chih-Chien Dong      | JCLA10907           | 8872             |
| 23900   | 7590        | 02/13/2006           | EXAMINER            |                  |
| J C PATENTS, INC.<br>4 VENTURE, SUITE 250<br>IRVINE, CA 92618 |             |                      | BROWN, MICHAEL J    |                  |
|   |             |                      | ART UNIT            | PAPER NUMBER     |
|   |             |                      | 2116                |                  |

DATE MAILED: 02/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                               |                             |  |
|------------------------------|-------------------------------|-----------------------------|--|
| <b>Office Action Summary</b> | Application No.<br>10/697,772 | Applicant(s)<br>DONG ET AL. |  |
|                              | Examiner<br>Michael J. Brown  | Art Unit<br>2116            |  |

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14 is/are pending in the application.  
     4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 October 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: reference S135. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Walsh et al.(US Patent 6,202,121).

As to claim 1, Walsh discloses an operating system loading method, for loading an operating system(operating system 35, see Fig. 1) from a storage device(hard disk drive 27, see Fig. 1), comprising judging whether the operating system is first time booted or not(see column 3, lines 2-6), creating a cluster-list-table(load sequence list, see column 4, line 63) if booting the operating system is judged first time(see column 9, line 50), and loading the operating system according to the cluster-list-table(see column 10, lines 11-12).

As to claim 2, Walsh discloses the operating system loading method further comprising judging whether the operating system is first time booted or not, generating a check sum if booting the operating system is judged first time, and judging whether an operating system file is modified or not based on the check sum(see column 3, lines 2-6).

As to claim 3, Walsh discloses the operating system loading method wherein making the cluster-list-table comprises searching a plurality of clusters where the operating system file is saved(see column 5, lines 6-11), and sorting and saving as the cluster-list-table thereof according to information on the clusters(see column 12, lines 60-63).

As to claim 4, Walsh discloses the operating system loading method wherein the storage device is a hard disk drive(hard disk drive 27, see Fig. 1).

As to claim 5, Walsh discloses the operating system loading method wherein the cluster-list-table is sorted based on a cylinder number, a head number, and a sector number(see column 7, lines 17-19).

As to claim 6, Walsh discloses the operating system loading method wherein the storage device is a flash drive(magnetic disk drive 28, see Fig. 1).

As to claim 7, Walsh discloses the operating system loading method wherein the operating system is an embedded operating system(operating system 35, see Fig. 1).

As to claim 8, Walsh discloses an operating system loading method, for loading an operating system(operating system 35, see Fig. 1) from a storage device(hard disk drive 27, see Fig. 1), comprising reading a cluster-list-table(see column 9, line 50), and loading the operating system according to the cluster-list-table(see column 10, lines 11-12).

As to claim 9, Walsh discloses the operating system loading method further comprising judging whether the operating system is first time booted or not, generating a check sum for the operating system if loading the operating system is judged first time, and judging whether an operating system file is modified or not based on the check sum(see column 3, lines 2-6).

As to claim 10, Walsh discloses the operating system loading method further comprising judging whether the operating system is first time booted or not(see column 3, lines 2-6), searching a plurality of clusters where the operating system file is saved if loading the operating system is judged first time(see column 5, lines 6-11), and sorting and saving as the cluster-list-table thereof according to information on the clusters(see column 12, lines 60-63).

As to claim 11, Walsh discloses the operating system loading method wherein the storage device is a hard disk drive(hard disk drive 27, see Fig. 1).

As to claim 12, Walsh discloses the operating system loading method wherein the cluster-list-table is sorted based on a cylinder number, a head number, and a sector number(see column 7, lines 17-19).

As to claim 13, Walsh discloses the operating system loading method wherein the storage device is a flash drive(magnetic disk drive 28, see Fig. 1).

As to claim 14, Walsh discloses the operating system loading method wherein the operating system is an embedded operating system(operating system 35, see Fig. 1).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Brown whose telephone number is (571)272-5932. The examiner can normally be reached on Monday-Friday from 7:00am to 3:30pm(EST).

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIRS) system. Status information for the published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications are available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 886-217-9197 (toll-free).

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Michael J. Brown

Art Unit 2116

  
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